



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 110<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 153

WASHINGTON, WEDNESDAY, JANUARY 31, 2007

No. 19

## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JON TESTER, a Senator from the State of Montana.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, You give Your spirit to all who truly desire Your presence. Lord, today, strengthen the Members of this legislative body. Lord, strengthen them not only to see Your ideal but to reach it. Strengthen them not only to know the right but to do it. Strengthen them not only to recognize their duty but to perform it. Strengthen them not only to seek Your truth but to find it.

Empower our lawmakers to go beyond guessing to knowing, beyond doubting to certainty, and beyond resolving to doing. Give our Senators the deep inner peace of knowing that You have heard and answered this prayer for power.

We pray in Your mighty Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable JON TESTER led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The bill clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, January 31, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable JON TESTER, a Senator from the State of Montana, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. TESTER thereupon assumed the chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, we will be in a period for the transaction of morning business for 60 minutes. The first half is under the control of the Republicans, the second half under the control of Senator WYDEN. Following morning business, we will resume H.R. 2, the minimum wage bill.

As I indicated in closing yesterday, we expect Senator KYL to be here this morning when we resume the bill. I understand a number of conversations have taken place among Senators BAUCUS, GRASSLEY, KYL, and KENNEDY regarding these amendments. It is anticipated once we are back on the bill there will be debate with respect to one or more of the Kyl amendments and that a vote in relation to an amendment could occur sometime around noon today.

Once we have completed action on all the amendments, then it is my hope that we can yield back all the time postcloture and then dispose of the substitute amendment. If we have to run the full 30 hours on the substitute, I think I am correct in stating that the 30 hours would expire at about 6:40 this

evening, cloture having been invoked yesterday at about 12:40 p.m. Of course, once all that time has expired or been yielded back and the substitute has been disposed of, cloture on the bill would occur immediately and automatically.

Mr. President, just a couple of comments. When we complete the debate on minimum wage and the bill is completed, we move to Iraq, and that is, as we know, a very contentious issue. But as the distinguished Republican leader last night stated, we are trying to arrive at a point where we can have a good, strong debate. It will take cooperation, it will take compromise so we can be in a position to have this debate so all Senators can voice their opinion and, hopefully, we can settle on a finite number of pieces of legislation to vote on. That is my goal, and I hope we can do that. Certainly the American people deserve this debate.

(The remarks of Mr. REID pertaining to the introduction of S. 439 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. REID. Mr. President, I apologize to my friend for taking so much time, but sometimes one takes what time is needed.

### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

### IRAQ DEBATE

Mr. MCCONNELL. Mr. President, with regard to today's schedule, we will be working, as the majority leader indicated, on the timing of the Kyl amendments. These are important amendments which we are going to want to have considered in a timely fashion. Senator KYL will need to be able to debate those amendments. We

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S1359

probably will be able to get to final passage tomorrow.

And then, as the majority leader indicated, he and I have had extensive discussions about crafting the various proposals, how many we are going to have on each side to address the most important issue in the country right now, which is the Iraq war, and that debate, of course, will occur next week. So we will continue our discussions toward narrowing down and understanding fully exactly which resolutions, alternate resolutions will need a vote in the context of that debate.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. One final point, Mr. President. We should understand, all of us, that we may have to have a vote or some votes on Monday. Everyone should understand that. And if we have to have votes on Monday, they could occur earlier rather than later. So everyone should understand there may be Monday votes. We hope not. As I told the distinguished Republican leader and as we have announced on a number of occasions, we had our retreat, and the Republicans certainly cooperated with us, and we are going to cooperate with them. These retreats are extremely important to this body. They allow us to enhance the political parties within this great Senate and focus on what is good for the country. We have done that, and the Republicans are going to do that the day after tomorrow, and I think that is important. We will certainly have no votes on Friday.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business for up to 60 minutes with each Senator permitted to speak for up to 10 minutes with the first half of the time under the control of the minority and the second half of the time under the control of the Senator from Oregon, Mr. WYDEN.

The Senator from Nevada is recognized.

Mr. ENSIGN. Mr. President, I rise this morning to discuss the Iraqi situation. Not the shootings and explosions we see in the streets of Baghdad and in al Anbar Province, but the struggle were currently engaged in right here in the Senate.

This latter battle is arguably more important to our long-term national security than any other issue we face today.

While everyone remembers the tragedy of 9/11, the pain and anguish experienced by Americans that day appears to have faded over time for an ever increasing number of our citizens.

For me, it remains as vivid and as gut wrenching today as it was that September morning more than 5 years ago.

It seems too easy these days to point fingers of blame at one another for our current situation in Iraq.

I could stand here today and recite quote after quote from Members on both sides of the aisle who were certain that Saddam Hussein possessed weapons of mass destruction.

Hussein and his Baathist regime had ruled Iraq as a personal fiefdom for more than 30 years.

There is no arguing that Hussein was personally responsible for the brutal deaths of hundreds of thousands of his own citizens, invaded two of his neighbors, supported worldwide terrorism, and violated 17 separate United Nations resolutions aimed at curtailing his WMD programs.

Seventy-seven Senators voted to give President Bush the authority to act.

With the clear authority from Congress to undertake military operations against Saddam Hussein, President Bush tried long and hard to seek a peaceful resolution. Saddam Hussein could not be reasoned with.

Following 9/11 and in an age of nuclear bombs and other weapons of mass destruction, we could no longer afford to sit by and wait on those wanting to do us harm to land the first punch.

We could not wait until we were attacked before acting. Calls for the President to act in order to protect America were loud and clear. And the President did act.

In doing so, Saddam Hussein's regime was eliminated and some 28 million Iraqis were freed from a living hell on Earth.

Watching the Iraqis struggle since then to establish their own democracy has not been a pretty sight.

With the luxury of hindsight, it's no secret that serious mistakes were made; too few troops; de-baathification of the Iraqi government and; failure of Federal Departments other than Defense to be fully engaged in this effort, to name a few.

We need to face the fact that we are in Iraq. We need to ask ourselves what do we do now.

Do we pack up and leave, even though every voice of reason tells us that Iraq would implode into a terrorist state used by al-Qaida as a launching pad against the "infidels"; reminiscent of Afghanistan under the Taliban?

As Senator McCain has reminded us time and again, Iraq is not Vietnam. When we left South Vietnam, the Viet Cong did not pursue us back to our shores. . .

Al-Qaida is not the Viet Cong. Al-Qaida has sworn to destroy us and is committed to bringing their brand of terror to America.

This fact was evidenced recently during testimony by Lieutenant General Maples, head of the Defense Intelligence Agency.

He testified that documents captured by coalition forces during a raid of a safe house believed to house Iraqi members of al-Qaida 6 months ago revealed al-Qaida was planning terrorist operations in the U.S. Anyone willing to go to Iraq to fight Americans is probably willing to travel to America.

Do we pass meaningless resolutions that mandate unconstitutional caps on the number of troops deployed to Iraq?

I am not a military strategist, so I rely on the opinion of experts to educate me.

General Petraeus, the new commander of the Iraqi Multi-National Coalition and author of the Army's new Counter Insurgency Manual, told me that he could not succeed in providing security for the citizens of Baghdad and al Anbar Province without the additional troops called for in the President's plan.

Do we allow the President the ability to adjust those troop numbers in an effort to bring security to Baghdad and al Anbar Province?

From what I see, the President has the only plan on the table that doesn't ensure defeat. It may not be a perfect plan, and it may need to be adjusted in the near term, but it is certainly a change from what we've been doing so far.

One particular area that I believe needs improvement is our reconstruction effort.

According to the Congressional Research Service the United States has spent over \$35.6 billion on reconstruction efforts.

We have to stop squandering our resources on reconstruction projects in Iraq that fail to deliver basic security and critical infrastructure.

A recent article in the Journal of Intervention and Statebuilding talked of the need to abandon a scattergun approach to reconstruction which focuses on winning hearts and minds and results in many nonessential projects being started but not completed.

I believe that we need to have what the author called a triage approach to reconstruction. The military calls it SWEAT: sewage, water, electricity and trash.

Let's focus on getting these essential services operating at the level they were before we invaded Iraq. This approach will undoubtedly make our military effort easier.

Our efforts to improve fundamental services up to this point have not received the focus and attention they deserve.

We have fallen short in the area of electricity production. Before we invaded Iraq, electric power was 95,600 megawatt hours; now, it is close to 90,000 megawatt hours. The goal was originally 120,000 megawatt hours.

In Baghdad, Iraqis receive about three fewer hours of electricity than before the war. Outside of Baghdad they do receive more, but we know most of the problems are in Baghdad. CRS notes that of 425 projects planned in the electricity sector, only 300 will be completed.

We have done somewhat better in assistance with water and sanitation.

We have provided clean water to 4.6 million more people and sanitation to 5.1 million more than before the war. But besides water, sanitation, and